



**ERIC GIBSON**  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666  
INFORMATION (858) 694-2960  
TOLL FREE (800) 411-0017  
[www.sdcounty.ca.gov/dplu](http://www.sdcounty.ca.gov/dplu)

### MITIGATED NEGATIVE DECLARATION

Project Name: REDDING MINOR SUBDIVISION

Project Number(s): 3200 21112 (TPM); Log No. 07-08-019

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for biology, cultural resources, geology, stormwater, drainage, and fire protection.
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
  2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. BIOLOGICAL REQUIREMENTS [DPLU]

1. Prior to issuance of any permit and prior to recordation of the parcel map, the applicant shall grant by separate document to the County of San Diego and the California Department of Fish and Game an open space easement, or grant by separate document to the California Department of Fish and Game, a conservation easement, as shown on the Tentative Parcel Map 21112 RPL2 dated **May 7, 2009**, on file with the Department of Planning and Land Use as Environmental Review Number 07-08-019. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. **[DPLU, FEE]**

The sole exceptions to this prohibition are:

- a) Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

- b) Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.
  - c) Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
  
- 2. Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on Tentative Parcel Map 21112 RPL2 dated **May 7, 2009**, on file with the Department of Planning and Land Use as Environmental Review Number 07-08-019. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**
  - a) Decking, fences, and similar facilities.
  - b) Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
  
- 3. Prior to issuance of any permit and prior to recordation of the parcel map, the applicant shall provide for the approval of the Director of Planning and Land Use evidence that 4.76 acres of Tier III or higher Tier habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located within the Multiple Species Conservation Program (MSCP). Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X 2]**
  - a) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - b) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

- c) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- d) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

-OR-

Provide for the conservation and habitat management of a minimum of 4.76 acres of Tier III or higher Tier habitat located within the MSCP in an area designated as PAMA or meeting the definition of a BRCA . A Resource Management Plan (RMP) for the Tier III or higher tier habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- 4. Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, and prior to recordation of the parcel map, provide evidence to the satisfaction of the Director of Planning and Land Use, that the open space signage has been installed. The applicant shall submit a statement from a California Registered Engineer, or licensed surveyor that all open space signs along the open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Exhibit dated September 17, 2009 on file with the Department of Planning and Land Use as Environmental Review Number 07-08-019 have been installed. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:  
**[DPLU, FEE]**

**“Sensitive Environmental Resources  
Area Restricted by Easement**

Unauthorized Entry is Restricted. To report a violation or

for more information about easement restrictions and exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: 07-08-019

5. Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, provide evidence to the satisfaction of the Director of Planning and Land Use, that the grading, and or improvement plans, and or building plans show permanent fences along the biological open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Exhibit dated September 17, 2009 on file with the Department of Planning and Land Use as Environmental Review Number 07-08-019. **[DPLU, FEE X 2]**
  - a. The fence shall be a minimum of four feet (4') high and consist of split-rail fencing. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
  - b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**“Sensitive Environmental Resources  
Area Restricted by Easement**

Unauthorized Entry is Restricted. To report a violation  
or

for more information about easement restrictions and exceptions contact the County of San Diego,  
Department of Planning and Land Use  
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**(Biological Notes)**

6. Prior to the approval of any grading, improvement, or building plans and issuance of any permit, provide evidence to the satisfaction of the Director of Planning and Land Use or Public Works, that the following “Specific Environmental Notes” have been placed on any of the grading, and or improvement plans and are made conditions of their issuance: **[DPLU, FEE X 3]**

“Prior to the conclusion of grading activities and Final Grading Release or Occupancy of any building, placement of permanent

open space fencing and signs is required to be completed. Provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences and open space signs have been installed along the biological open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Exhibit dated September 17, 2009 on file with the Department of Planning and Land Use as Environmental Review Number 07-08-019. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed." **[DPLU, FEE X 2]**

"Restrict all brushing, clearing and/or grading such that none will be allowed within 500 feet of raptor foraging habitat during the raptor breeding season. This is defined as occurring between February 1 and June 1. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no raptors are present in the vicinity of the brushing, clearing or grading."

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

B. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:

1. The Parcel Map shall show an accurate and detailed Vicinity Map.

2. SIGHT DISTANCE

a. Prior to recordation of the Parcel Map, a registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that: "Physically, there is a minimum unobstructed sight distance in westerly direction along Puebla Street from the project driveways serving the land division, per Section 6.1.E of the County

Public Road Standards. Any vegetation currently obstructing sight distance shall be removed or cut back." If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "said lines of sight fall within the existing right-of-way and a clear space easement is not required."

3. ROAD DEDICATIONS

- a. Offer to dedicate the right to construct and maintain slopes and drainage improvements as required beyond the limits of the forty-foot (40') radius right-of-way for the cul-de-sac at the terminus of Puebla Street. The Parcel Map shall be prepared to show the offer being accepted.

Any dedication or offer of dedication shall be free of any burdens or encumbrances which would interfere with the purpose for which the dedication or offer of dedication is required. All easements of any type must be plotted on the Parcel Map.

- b. Execute a covenant not to oppose a "No Parking" restriction along the frontage of the public cul-de-sac at the terminus of Puebla Street.

4. SPECIAL DISTRICTS/ROAD MAINTENANCE/COVENANTS/DEVELOPMENT IMPACT FEES

- a. The subdivider shall authorize Special Districts to process the project into the San Diego County Street Lighting District. After recordation of the Parcel Map, the land division shall be transferred, without notice or hearing, to Zone "A" of the San Diego County Street Lighting District. The subdivider shall cover the processing costs by paying a minimum deposit at the Land Development Counter Services.

5. FACILITY/UTILITY ARRANGEMENTS

- a. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego, Department of Public Works, a certification from each public utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the proposed Parcel Map; (b)

they object or do not object to the filing of the Map without their signature.

- b. Certification by the Department of Environmental Health with respect to sewage disposal shall be shown on the Parcel Map. [DPLU]

6. FLOODING/DRAINAGE

- a. Lines of inundation to the limits of the 100-year flood along the watercourse, which flows through the property, shall be shown and labeled "Subject To Inundation By The 100-Year Flood" on the Parcel Map.
  - 1) The subdivider's civil engineer will provide the necessary hydrology and hydraulics to define the 100-year inundation limits and annotate the limits on a copy of the Tentative Parcel Map, approved by the County of San Diego, Director of Planning and Land Use. Each parcel shall have a flood-free building site to the satisfaction of the County of San Diego, Department of Public Works. If any of the parcels are found to be devoid of a buildable, flood-free site for a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood-free site. This pertains to watersheds having area of twenty-five (25) or more acres.

7. RESOURCE PROTECTION ORDINANCE REQUIREMENTS  
[DPLU]

Prior to issuance of grading or construction permits or on the Parcel Map, whichever comes first, the applicant shall:

Grant to the County of San Diego an open space easement over portions of Parcels 2 and 3 as shown on TPM 21112 dated May 7, 2009. This easement is for the protection of steep slope lands and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space.



The sole exceptions to this prohibition are as follows:

- a. Clearing of vegetation to protect existing or proposed structures that are in potential danger from fire, provided that the area of such clearance is the minimum necessary to comply with applicable fire codes or written orders of fire safety officials and that such slopes retain their native root stock or are replanted with native vegetation having a low fuel content, and provided further that the natural landform is not reconfigured.
- b. Establishment or expansion of an agricultural operation, provided that the establishment or expansion of the operation must be completed in accordance with all applicable federal, state and local regulations (e.g., Clearing and Grading permit from the County of San Diego). The following shall be considered an agricultural operation for purposes of this exception: an operation that includes the cultivation, growing, and harvesting of animals, nursery products and flower crops; fruit and nut crops; livestock and poultry products; vegetable crops; livestock and poultry (including their associated enclosures); field crops; apiary products; timber and firewood; and nonbearing fruit and nut crops.
- c. Activities required to be conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of Planning and Land Use.
- d. Construction, use, and maintenance of septic systems, on Parcels 2 and 3 in the location shown on TPM 21112 dated May 7, 2009.
- e. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego, in a location and manner approved in writing by the Director of Planning and Land Use of the County of San Diego.
- f. Uses, activities, and placement of structures expressly permitted by the Director of Planning and Land Use, whose permission may be given only after following the procedures and complying with all requirements applicable to an

Administrative Permit pursuant to The Zoning Ordinance of  
the County of San Diego.

- C. THE FOLLOWING IMPROVEMENTS MAY BE COMPLETED PRIOR TO RECORDING OF A PARCEL MAP OR THEY MUST BE LISTED ON THE PARCEL MAP AND THE SUBDIVIDER SHALL EXECUTE A "COVENANT OF IMPROVEMENT REQUIREMENTS" WHICH SHALL LIST THE CONDITIONS THAT REMAIN TO BE COMPLETED. THE COVENANT SHALL BE RECORDED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO RECORDING THE PARCEL MAP. THE COVENANT SHALL BE NOTED ON THE PARCEL MAP.

(IMPROVEMENT PLANS AND COST ESTIMATES ARE NOT DEFERRABLE) THE COVENANT OF IMPROVEMENT REQUIREMENTS SHALL NOTE THE ESTIMATE OF COST TO INSTALL AND/OR CONSTRUCT ANY DEFERRED IMPROVEMENTS. THE ESTIMATE OF COST SHALL BE BASED UPON IMPROVEMENT PLANS. THE PLANS SHALL INCLUDE A SIGNED STATEMENT BY THE PRIVATE ENGINEER-OF-WORK STATING THAT THE PLANS ARE SUFFICIENT FOR THE PURPOSE OF PROVIDING THE REQUIRED ESTIMATE OF THE COST FOR THE PRIVATE EASEMENT ROADS AND PRIVATE FACILITIES. THE ESTIMATE SHALL HAVE THE ENGINEER'S SIGNATURE AND STAMP ON THE FRONT PAGE ALONG WITH A STATEMENT THAT IT IS THE ENGINEER'S ESTIMATE OF THE APPROXIMATE COST AS OF THE DATE THE ESTIMATE WAS PREPARED FOR THE PRIVATE ROAD AND FACILITIES REQUIRED BY THE FINAL NOTICE OF APPROVAL AND THE SAN DIEGO COUNTY STANDARDS FOR PRIVATE STREETS. SAID COVENANT SHALL BE TITLED "COVENANT OF IMPROVEMENT REQUIREMENT, A BUILDING PERMIT PROHIBITION".

IF THE COVENANT HAS BEEN RECORDED, NO BUILDING PERMIT, AND NO FURTHER GRANT OF APPROVAL FOR DEVELOPMENT MAY BE ISSUED UNTIL THE SUBDIVIDER PRESENTS A COPY OF THE RELEASE OF IMPROVEMENT REQUIREMENTS RECORDED BY THE DEPARTMENT OF PUBLIC WORKS, STATING THAT ALL OF THE REQUIRED IMPROVEMENTS LISTED IN THE COVENANT OF IMPROVEMENT REQUIREMENTS AND NOTED ON THE PARCEL MAP HAVE BEEN COMPLIED WITH, EXCEPT A GRADING OR CONSTRUCTION PERMIT AND/OR A PERMIT TO INSTALL UTILITIES WITHIN THE PRIVATE EASEMENT, MAY BE ISSUED. (NOTE: FOR WATER STORAGE FACILITIES AND/OR FUELBREAKS, A RELEASE OF IMPROVEMENT REQUIREMENTS IS ONLY REQUIRED TO STATE THAT THE IMPROVEMENTS HAVE BEEN COMPLIED WITH FOR THE

PARTICULAR PARCEL FOR WHICH A BUILDING PERMIT IS BEING REQUESTED.) [DPW] [DPLU]

1. FACILITY/UTILITY IMPROVEMENTS

- a. The subdivider shall install a minimum water supply pipe to serve this minor subdivision in accordance with the standards of the ~~Rincon Del Diabla~~ City of Escondido Water District.
- b. Two (2) fire hydrants, together with an adequate water supply, shall be installed in accordance with the specifications of the City of Escondido Fire Protection District and San Diego County standards in the vicinity of the turnaround located on Parcel 2, and in the vicinity of the terminus of Puebla Street on Parcel 2. On paved roads, a "blue dot" marker shall be installed in the pavement to indicate the location of the fire hydrant.

Design of water supply, type, and location of fire hydrants must be submitted to the City of Escondido Fire Protection District for approval prior to the issuance of a building permit for any parcel created by this subdivision.

D. OTHER REQUIREMENTS

1. The Basis of Bearings for the Parcel Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. To be in compliance with the Public Resources Code, all (Parcel) or (Subdivision) Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.
2. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map,

all to the satisfaction of the County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map. For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's / engineer's certificate as shown on the final map.

3. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for Low Impact Development materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
4. Low Impact Development (LID) requirements apply to all priority development projects as of January 24, 2008. These requirements are found on page 19 (Section D.1.d. (4) a & b) of the Municipal Storm water Permit:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/sd\\_permit/r9\\_2007\\_0001/2007\\_0001final.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf)

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. You can access the Handbook at the following DPLU web address: <http://www.sdcounty.ca.gov/dplu/docs/LID->

Handbook.pdf. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. For more information contact Stephanie Gaines, DPW, Watershed Planning Division at 858-694-3493 [Stephanie.Gaines@sdcounty.ca.gov].

5. All plans shall be in conformance with the following:

- Sections 811.201 through 811.602 of Ordinance No. 8334 pertaining to Flood Hazards
- Sections 88.100 through 88.500 of Ordinance No. 3172 (amendments by Ordinances No. 5147, 5150, 5406, 5521, 5827, 6051, 7141, 7801, 7986) pertaining to Drainage and Watercourses
- Sections 87.101 through 87.717 of Ordinance 2925 (amendments by Ordinances No. 3281, through 8691) pertaining to Excavation and Grading

**ADOPTION STATEMENT:** This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

Rosemary Rowan, Planning Manager  
Project Planning Division

EG:RR:kj